

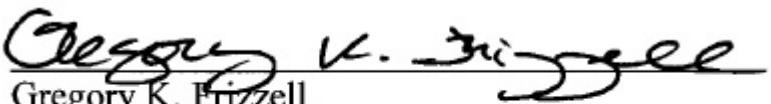
**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

|   |   |                            |
|---|---|----------------------------|
| SOJOURN CARE, INC., d/b/a SOJOURN               | ) |                            |
| CARE OF TULSA, a Delaware Corporation,          | ) |                            |
|   | ) |                            |
| Plaintiff,                                      | ) |                            |
|   | ) |                            |
| vs.   | ) | Case No. 07-CV-375-GKF-PJC |
|   | ) |                            |
| MICHAEL O. LEAVITT, Secretary of United         | ) |                            |
| States Department of Health and Human Services, | ) |                            |
|   | ) |                            |
| Defendant.                                      | ) |                            |

**ORDER**

For the reasons set forth on the record of this date, plaintiff's Motion for Summary Judgment [Docket No. 11] is granted, and defendant's Motion for Summary Judgment [Docket No. 19] is denied.

IT IS SO ORDERED this 13<sup>th</sup> day of February 2007.

  
\_\_\_\_\_  
Gregory K. Frizzell  
United States District Judge  
Northern District of Oklahoma